

HOUSE BILL 431
By Bunch

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 28, relative to parole.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-28-117, is amended by deleting the last sentence of subsection (a) and substituting instead the following:

Such terms and conditions of parole set by the board shall specifically include the requirement that a prisoner pay restitution to the victims of the crimes for which the prisoner had been sentenced to prison, to compensate them for their personal injuries and/or property losses proximately caused through the commission of those crimes. If the court has entered an order of restitution pursuant to Tennessee Code Annotated, Section 40-35-304, the board shall use the amount specified in that order minus any payments the prisoner may have made subsequent to such order. If the court has not entered an order of restitution pursuant to Tennessee Code Annotated, Section 40-35-304, and the board determines that restitution is owing to the victim, the board shall establish a restitution amount using the criteria and definitions set out in Tennessee Code Annotated, Section 40-35-304. The amount of restitution owed the victim is due upon the prisoner's parole unless the board establishes a payment schedule for such

prisoner. If the board establishes a payment schedule, absent the prisoner's showing of severe hardship, such schedule shall not extend past the expiration of the sentence imposed by the court. Failure to pay restitution ordered by the board as a condition of parole shall subject the prisoner to parole revocation as provided in this part.

SECTION 2. This act shall take effect on July 1, 2001, the public welfare requiring it and shall apply to all prisoners granted parole on or after such date.